

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F045687 Ruby C. v. Superior Court Stanislaus; Stanislaus Co. Community Services Agency

The petition for extraordinary writ is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043676 Workmen's Auto Insurance Company v. Forlini et al.

The judgment is affirmed. Costs to respondent. Ardaiz, P.J.

We concur: Harris, J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045442 Moore v. Wal-Mart Stores, Inc.

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed as moot.

F045675 Paul J. v. The Superior Court of Stanislaus Co.; Stanislaus Co. Community Services Agency

The petition for extraordinary writ is denied. The opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043485 Estate of Walter W. Stevens, Deceased

Norgeot v. Nelson

Appellant's petition for rehearing filed herein is denied.

F043438 People v. Saelee

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F043438 People v. Saelee

Appellant's sentence is modified so that execution of the sentence imposed on count 2 is stayed pending the finality of the judgment and service of the sentence on count 1, such stay to become permanent upon completion of the sentence on count 1. The superior court is ordered to prepare an amended abstract of judgment to reflect this modification, and to send the amended abstract of judgment to the Department of Corrections. As is modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042662 People v. Wyatt

The judgment is affirmed. Ardaiz, P.J.

We concur: Levy, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042727 People v. Mar

The judgment is affirmed. Buckley, J.

We concur: Dibiaso, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044710 In re Rogelio M., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F044710 In re Rogelio M., a Minor

The judgment is vacated and the matter is remanded to the juvenile court for the limited purpose of permitting Rogelio to make a motion to withdraw his plea. If the motion is not filed within 30 days after the remittitur is filed, or if the motion is denied, the judgment shall be reinstated. Gomes, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042469 Gutierrez et al., v. Gutierrez
F042834 Gutierrez et al., v. Gutierrez et al.

The judgment is reversed. Etc. Cornell, J.

We concur: Dibiaso, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042675 Larsson et al. v. Grabach et al.

The judgment insofar as it finds the existence of an easement by necessity is reversed for reasons stated. The judgment insofar as it finds the existence of an easement by implication is affirmed. The superior court is directed to modify its judgment in accordance with the views expressed in this opinion. Costs to respondent. Ardaiz, P.J.

We concur: Harris, J.; Levy, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F042959 People v. Thomas

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F042959 **People v. Thomas**

The matter is remanded with directions to impose a Penal Code section 654 stay on one of the two counts involving the same police officer (counts 11 and 12), to grant 216 days of presentence credits (144 days of actual custody plus 72 days of conduct credits), and to issue and to send to the appropriate persons an amended abstract of judgment. The judgment as so modified is affirmed. Gomes, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]